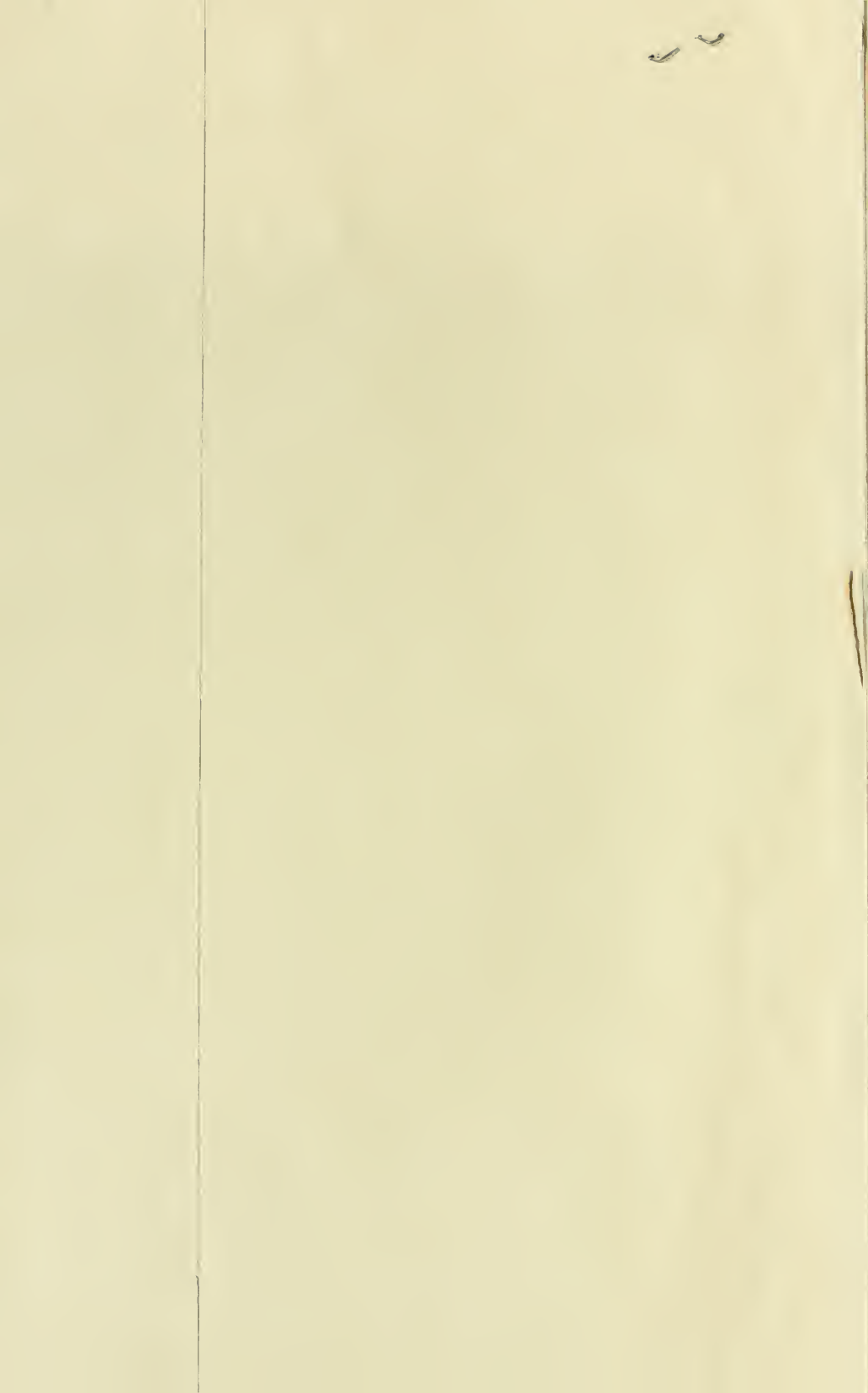


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MR. SOULÉ'S SPEECH,

AT OPELOUSAS, LOUISIANA

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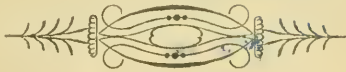
DELIVERED

ON THE 6TH OF SEPTEMBER 1851.

Victrix causa diis placuit; sed victa...Catoni!
LUCANUS.

"I will not join in congratulations on misfortune and disgrace. I cannot concur in a vile and servile address, which approves and endeavours to sanctify the monstrous measures, which have heaped disgrace and misfortune upon us. This, my-lords, is a perilous and tremendous moment! It is no time for adulation. The smoothness of flattery cannot now avail; cannot save us in this rugged and awful crisis. It is now necessary to instruct the Throne in the language of truth;—we must dispel the delusion and the darkness which envelop it; and display in its full danger and true colors, the ruin that is brought to our doors."

LORD CHATHAM, ON THE AMERICAN WAR.



NEW-ORLEANS:

PRINTED BY J. L. SOLLÉE, 137, CHARTRES STREET.

1851.

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To the People of Louisiana.

The following speech, delivered at Opelousas, on the 6th of September instant, at the request of a number of my friends and fellow citizens of St-Landry, is respectfully submitted to your impartial consideration and judgment, in reference to my Senatorial course on the great questions which have so much agitated the country, and to the reasons and motives which prompted it.

New-Orleans, September 22d, 1851.

PIERRE SOULÉ

IN EXCHANGE
BOG. ANTH.
Mar 3 '06

MR. SOULÉ'S SPEECH,

AT OPELOUSAS.

The acclamations that welcome me to these hustings, speak out, if I mistake them not, your anxiety to hear, that you may fairly judge of them, the opinions of one whose course, in the Councils of the Nation, has been animadverted upon, in certain portions of the State, by designing political opponents and by reckless party defamers, as being not only dangerous, but actually hostile to your peace, to your dignity and to your interests.

Those opinions, it can no more be my desire than it is in my power to conceal from you. They belong to the history of the country: they were formed upon deep and solemn deliberation; they had and still retain the sanction of my best judgment, and are spread out, accessible to all, upon the leaves of that truthful and impressive journal, where, for grave and weighty reasons, no doubt, the opinions and acts of your public men are faithfully registered and preserved. Most readily therefore shall I make them the theme of my discourse to you and plead in their vindication the cause to which they owe their origin, and indeed all their importance.

It is a cause in which we have all an equal stake, Whigs as well as Démocrats;—a cause involving in its issues not only our rank and condition in the great Confederacy which holds the American States together, but the very existence of that Confederacy itself, and, to some extent, the destinies of a whole world.

Such a cause we should approach in a proper spirit. I shall address myself to it, with a mind unbiassed, either by party feelings or by considerations of private concernment. Let me hope that I shall find in this audience neither impatient nor prejudiced hearers, but that, on the contrary, I shall be listened to with considerate and uninterrupted attention.

S. E. B. Sept. 1, 1810.

MS. A. 1. 2. 7. 106 X

When I was honored with the seat which I now hold in the Senate of the United States, we were just emerging from the war which Mexico's folly and stubbornness had brought upon us and most needlessly prolonged.

By the treaty of Guadalupe Hidalgo, an almost boundless empire of territory, with a vast border of ocean, had been added to our already gigantic possessions. We were about to dispose of the conquest we had achieved, and to distribute and regulate the increase of political influence and power which every section of country was to derive from it. We, of the South, had been participants in the struggle through which it had been accomplished, to the fullest extent of our resources and abilities. We had contributed by far the largest proportion of the forces engaged in the war; two-thirds of the supplies which had maintained them, and in the touching and sadly eloquent language of a most eminent writer and statesman, * "*four-fifths of the graves!*" We, of course presumed that we would also be permitted to participate in the fruits of victory. But the North, who, before they were secured, had denounced our acquisitions as a nefarious and monstrous spoliation and plunder, now claimed them all to herself, and insisted that the South should not have a foothold on that soil which she had so strenuously and so efficiently contributed to wrest from the enemy, and which was still moist with the blood of her braves and whitened with the bones of her dead.

Mr. Polk's administration was drawing to a close. Already had the two great national parties pre-essayed their Richmonds in the field. The Presidential canvass was soon to begin, and the contest opened upon what principles should prevail in the organization of the Territories acquired from Mexico. Were they to be dedicated exclusively to freesoil, or was the South to be allowed any share in them? Such was the question mooted from one end of the country to the other, and in no part of it with a fiercer and a more indomitable spirit than in Louisiana, where ** each party claimed for the candidate of its choice the security which his election was to give the South that her rights would be protected, and her interests safeguarded. War to the knife was, during the whole contest, denounced against all sorts of *Provisos*, against all attempts at excluding us from the partition about to be effected. What did we mean *then*? What were we after? Did we, in imitation of those gallant Bostonians of 1775, intend to fight for some empty phrase, for "*less than a preamble*?" Was it to save our sight from a few inno-

* Hon. Seth Barton, in one of his Randolph's epistles.

** See Appendix Nos. 1 and 2.

acious words in a law of Congress, that we vented so much wrath and trumped up such menacing resolutions? No sirs, no sirs;—it was for something more grave, more substantial, more momentous, that we engaged in the struggle;—we engaged in it to vindicate our rights as sovereign communities, and to assert our rank as equals in the great Confederacy of which we were members. Such was the object, the boon for which, at one time, we all joined in a loud and undivided protestation against the usurpations with which the North was threatening the South.

We had ceased to wield in Congress, that influence which, in days gone by, had enabled us to protect ourselves against unequal and oppressive legislation. Out of the thirty States of which the Union consisted, but fourteen could be claimed as being in the interest of the South. We had hardly power enough to check the incessant invasion which the Northern majority was committing upon our rights and franchises through insulting agitation and unsparing abuse, and we were fast becoming a feeble and impotent minority; and, while the hostility at the North was increasing with our growing weakness, we had in prospect an immense territory thrown open to the grasp of freesoilism, out of which it might carve new sovereignties to overpower us, if we should, at any future time, ever attempt to resist its encroachments and to put a stop to its usurpations. Such was our condition in 1848.

— But, *we then* stood up like men, and like men, durst assert our rights and claim our due. And, mark how the administration that controlled the Government was emboldened and nerved by the stand we took and the front we opposed to the insulting pretensions of the North. The Mexican commissioners who were empowered to treat with the United States for peace, had been instructed by their Government to require that “The United States should bind themselves not to permit slavery to be established in the territories ceded by the treaty;” and our minister (Mr. Trist) was solicited, intreated, to admit the restriction among the other clauses of the treaty. Here is what Mr. Trist says (in his correspondance with the Government at Washington) of his conference with the Mexican commissioners in relation to this subject: “Our conversation was perfectly frank and no less friendly; and the more effective upon their minds, inasmuch as I was enabled to say with perfect sincerity, that although their impressions respecting the practical effect of slavery in the United States were, I had no doubt, entirely erroneous, yet there was probably

no difference between my individual views and sentiments on slavery, considered in itself, and those which they entertained. I concluded by assuring them that the mention of the subject in any treaty to which the United States were a party was *an absolute impossibility*; that no President of the United States would dare to present any such treaty to the Senate; and that if it were in their power to offer me the whole territory described in our projet increased tenfold in value, and, in addition to that, covered a foot thick all over with pure gold, upon the single condition that slavery should be excluded therefrom, I could not entertain the offer for a moment, nor think even of communicating it to Washington." *

Nor was this demonstration confined to the attitude thus assumed by our Minister, in the negotiations that brought about the treaty of peace.

When the treaty itself came before the American Senate for ratification, the attempt was renewed to insert in it the restriction proposed by Mexico; but it failed most signally, the proposition obtaining but a vote of fifteen yeas out of a Senate of sixty!

Had we but maintained ourselves in the proud position which we then occupied, we would still be with our rights, the equals of our partners, and not what it is now proposed we should become, uncomplaining and truckling submissionists, the objects of the mocking jeers and taunting insults of aggressive and arrogant Free-Soilism.

A new President, in the mean while, had been inducted into the Executive Chair. After the unsuccessful effort tried, at a previous session, to place the whole controversy in the hands of the Judicial Department of the Government, an attempt was now made to clothe the President with all necessary powers to organize Governments in the newly acquired territories. The measure was defeated through the President's own friends. But, the authority which the party in power had refused for the President, when tendered to him by the South, in a manner that would have engaged his responsibility, was soon assumed and exerted without the least shadow of legislative sanction; and, through its exercise, a handful of adventurers, most of whom had not a three months residence in the territories, was enabled to wrest from the common domain upwards of one hundred and fifty-three thousand square miles of soil, bordering on nine hundred miles of Ocean, and to extend over them the very *proviso* which had so menacingly aroused the public spirit at the South.

* Confidential despatch (No. 15) of Mr. Trist to the Department of State

The illegitimacy of the influence through which this had been effected ;—the spoliation committed on the slaveholding States, under the behests of a convention organised by a salaried military officer of the General Government ; the absence of all guaranty that might protect the public domain ; the want of all authority in men, who owed allegiance to other political communities, to institute a State within territories still under the control and dependency of the United States ; the scandal of a Constitution covering with its jurisdiction regions not even explored by the people who framed it, and already held in the political possession of another people, all that was to be disregarded, and the act of spoliation to be unblushingly consummated under the sanction of Congress.

But the Southern Lion was not yet slumbering ; and it became necessary to lull him into deceitful dreams, during which his claws might be chopped off and his teeth plucked out.

It was at this juncture that one, truly great among the greatest by his bright intellect, his unparalleled dexterity and his transcendent powers of persuasion, but whose every triumph in our sectional strifes has been a disaster to the South, stood forth between the two contending parties, as a *Pacifcator*, and from the folds of his senatorial robe let fall the **COMPROMISE**. It went the rounds of every portion of the country, tossed about between the jubilees of the North and the curses of the whole South.

The measures which it embraced were denounced in the very hall of the Senate as proffering but deception and plunder to the South ; as *giving all to one side and nothing to the other ;—as being but stone, though held out as bread ;—as worse than nothing ;—as leaving no way for getting round the subject, or for fixing terms of future concessions or of present Compromise.* *

Upon the announcement of those measures, there was a universal shout of vexation and revolt, from the Potomac to the Rio del Norte, which caused the North to pause, and might have saved us, had we but held our breath a little longer. The whole South was put in commotion ; and you might hear her threats and execrations as the hoarse roaring of a storm raging at a distance. Just consider, the South was asked to surrender all her pretensions and claims to that territory in the conquest of which she had wasted so much blood and treasure. California was to be admitted as a free State, organized though she had been under the rod of a military commandant, exercising powers

* Mr. Downs in his speeches of January 29th and February 18th 1850.

that Congress alone had a right to exercise, and coming as she did, with the *Wilmot Proviso* in her Constitution staring us in the face;—Texas was to be dismembered and the South to be taxed in her full share of \$10,000,000 for being despoiled of *one-half of what she had gained by the admission of that State into the Union*; *—The question of the prospective abolition of slavery throughout the territories of the United States, and ultimately in the slaveholding States themselves, was to be tested through the bill abolishing the slave trade in the District of Columbia, by which Congress assumes and actually exercises the power of declaring a slave free, because of his master attempting to sell him in the said district;—The Territories of Utah and New Mexico were to be organized without any facultative clause that might enable their legislative councils to afford protection to *all species of property which, by the Constitution, could rightfully be transferred thither*,** and under the assurance expressed by repeated votes, and sanctioned by solemn declarations, that slavery was actually excluded from them through the effects of the Mexican Proviso...—And the great boon, which, for all these surrenders, the South was to receive, consisted in the enactment of a law under whose authority eight or ten fugitive slaves, at the cost of some \$8,000 or \$10,000, might be delivered back to their masters, as an indemnity for the loss of upwards of thirty thousand others, who still grace with their presence abolition conventions, and parade insultingly in the thoroughfares of the North!

Such was the compact of conciliation and peace which the North was tendering to us. It was forced upon us by the anti-slavery power of the North and North-West, aided and abetted by those of the South who had been the loudest in their condemnation of it, when it first made its appearance, and the most bitter in assailing its original promoters.

But let us see what judgment that iniquitous scheme has received at the hands of its main defenders; and let us measure, through that judgment, the degradation to which it has doomed the slaveholding States.

In his late speech, at Trinity, General Downs calls it *a choice of evils*. Mr. Clay had already told us that "*by it, he North had got almost every thing and the South nothing but her honor*." And Mr. Webster, with that manliness that characterizes his language, admits that while "*the North gains most intensely desirable objects*," such as the annexation of California as a free State, the quieting of the New Mexican question, and of the Texan boundary, the separation of New Mexico from Texas, and the abolition of the slave trade in the District of Columbia...

* Mr. Downs, in his speech of February 18th, 1850.

** Terms of one of the Amendments that were rejected.

the South, ah! the South “gains an acceptable and satisfactory mode for reclaiming her fugitive slaves ;—but as to the territorial acquisitions, he feels bound in candor to say, that taking Maryland for example, as one of the South, *Maryland gains what Massachusetts loses.*—that is NOTHING !”

And yet such is the settlement held out to you as being perfectly fair, perfectly just, perfectly honorable to the South, and against which no Southerner must open his lips in either disappointment or complaint, and no man must defend himself for having resisted it in the national council, however, whenever, and wherever assailed !

When on the 21st of December 1843, Mr. Gott of New York presented a resolution “instructing the Committee on the District of Columbia to report a bill *prohibiting the slave trade* in said District,” and obtained on it the sanction of the House, the whole South was thrown into the most turbulent and furious excitement.

The Washington Union denounced the measure as “another blow” at the South, and warned the North that “the South would not submit.”

The New Orleans Picayune said : “This is such a direct meddling with *the right of property* of the citizens of the District, and so bold a step towards *interference with the rights of the States*, that the South *must* NECESSARILY make an issue on it. The aggressive spirit of northern abolitionism SHOULD BE MET HERE, AND THE CONSEQUENCES OF A COLLISION IN ALL THEIR BREADTH AND DEPTH STAKED UPON IT.”

And the Legislature of Virginia, by a majority of 117 to 13 in the House, and of 27 to 3 in the Senate, passed a set of resolutions of which the following is one : “Resolved—That we regard the passage of a Law by the Congress of the U. S. abolishing slavery, *or the slave trade*, in the District of Columbia, as a direct attack on the institutions of the Southern States, TO BE RESISTED AT ALL HAZARDS.” The Washington Union alluding to these bold professions said : that Virginia would maintain her resolutions “BY HER ACTS”.—What space, I ask, have we been traveling, since that time, that we are so far off the track we then so proudly rode in?

But you may demand to know what motives, what influences could have induced those Southern members who gave the Compromise such a zealous support, and among others, Gen. Downs, to sustain that measure? I have propounded the question to myself again and again ; and it was but lately that I found an answer to it in the speech which my distinguished colleague delivered in New York, in December last. “Convinced at Washington”, says he, “by the *patriotism* of their Representatives, that the Northern people *were sound*, I PLEDGED MY-

SELF to the support of the *Compromise*." Such were the promptings under which Gen. Downs associated himself with the friends of that measure. Let us see now upon what *data* rested his conviction of the *soundness of the Northern people*, as vouchsafed by the patriotism of their Representatives: What did he mean by the *NORTH* and by the *North's* Representatives? We have it from his own lips. He tells us in the same speech that "*as New York goes, so goes the North; as the North goes, so goes the South, and in the end we shall all go together.*" New York, then, was to be the great criterion, and the patriotism of her Representatives the unerring sign of the soundness of the people at the North. And yet, on every resolution offensive to the South which was introduced in the House from the 13th of December 1848 to the 4th of February 1850, we find the New York Representatives *in mass*, siding invariably with our enemies, and warring against us! (*) Oh the fatal delusion! It was that delusion that brought him to tell the Southern people "that abolitionism was no longer to be preached and practised at the North; that aggression upon them was put an end to from that quarter." (**)—Let us see, let us see, how the North has redeemed the pledges thus handsomely commended by a Southern Senator:

I have shown you what a proud position we held as long as we stood firm and erect like men; let me show you now, with what boldness of contempt and scorn we are looked at and spoken of by those who, but twelve months ago, courted our favour and seemed almost ready to pander to our exigencies. Hear that great colossus of the North alluding to us, submissive and unexacting as we have shown ourselves to be: "If the South wish any concession from me, they wont get it, NOT A HAIR'S BREADTH OF IT..... I have always contended that any measure calculated to add to the slave territory of the United States was unconstitutional. I would never consent that there be one foot of slave territory beyond what the old thirteen States had at the foundation of the Union.—Never! never! never!!" (***)

—And, that there might be no mistake, no misconception as to what he meant to show of tenderness and good feeling to the South, he, the chief of the Cabinet and the Secretary of State of President Fillmore goes on, and hesitates not to acknowledge, that, "*He regrets extremely that slavery exists in the Southern States, and that Congress has no power to act upon it!*"—Hear you him? Can you be any longer de-

(*) See Appendix No. 3.

(**) M. Downs in his New York speech.

(***) M. Webster in his speech at Buffalo.

ceived? Is that clear enough?—Ah! but he afterwards corrected the latter part of the sentence, or rather approved of the correction made upon it by Mr. Botts of Virginia; and the sentence, as corrected, now reads: “I regret extremely that slavery exists in the Southern States; *but* Congress has no power to act upon it.” Very well. But the next coming phrase stands uncorrected; that phrase wherein he expresses the hope “THAT IT MAY BE IN THE DISPENSATION OF PROVIDENCE SOME REMEDY MAY BE FOUND FOR IT!”

Why, Sirs, we have the secret of these strange boastings. Mr. Webster is of the North, and dares avow it, and glories in it, and is applauded for it; while, here, one could hardly claim himself from the South without being hissed and lapidated.

How proudly, how nobly and bravely he exclaims! “I am a northern man. I was born at the North, educated at the North. I know five hundred northern men to one southern man. My sympathies, ALL MY SYMPATHIES,—*my love of liberty for all mankind, of every color, are the same as yours. My affections and hopes in that respect are exactly like yours.*”

And thus is the torch of abolitionism still brandished by the very men who had engaged to extinguish it, and the ravings of anti-slavery provoked afresh by the most impassioned and most exciting appeals. Even the Washington Union, alluding to this speech, forgets its former mercies for the great northerner, and gently chides him for thus ministering to the passions and prejudices of his countrymen. “What need had he,” says its New York correspondent of May 26th, 1851, “What need had he to parade his detestation of slavery, his love of freesoil, and his eternal opposition to the admission of slave territory, before a people already too much excited to think calmly and wisely upon such subjects? What was it in effect but saying to them, this is all wrong; it is a sin, an evil which must be endured for expedience sake. *And how many of the class of persons whom he addressed, replied in their hearts: EXPEDIENCY CAN NEVER MAKE A WRONG WRIGHT.*”

—*Abolition is no longer to be preached and practiced; is it!*—And aggressions from the North against the South “*are put an end to;*” are they not!—How bitterly Mr. Webster belies the assertion and exposes your credulity! But this is not all. Read with me from one of the August numbers of the New York Tribune: “We are told to leave slavery alone; it is too late in the day, to think of stopping the discussion of the subject. It will be discussed; and the best thing is, to look at it frankly and sincerely and to say the whole truth about it.

AND WE ARE HAPPY TO SEE IN THE SOUTHERN STATES A GROWING NUMBER OF PERSONS who are disposed to treat it in that manner."

And in another of its numbers of the same month, the same paper says: "what madness, what futility to talk of respecting such an act as the fugitive slave law! not even a kidnapper nor slave trader can really respect it. Humanity and a sense of justice, innate in every heart, imperatively forbid it..... We do not desire the capture of any fugitive slave. How could we or should we? The Constitution is not altered since Millard Fillmore gave Milton Clarke money to aid him in his flight from slavery."

I have still higher authority to show how recreant the North shows herself to redeem the pledges made in her name by Gen. Downs; and that authority is no less than Mr. Toombs himself; the great Georgia *unionist* and the most prominent and able leader of the Whig party at the South. Here is what he says in his letter of acceptance of the nomination tendered him to Congress by his party: "*The anti-slavery sentiment is yet a dangerous and formidable element in American politics. Its acknowledged exponent is the free soil party; but it is also virulent and dangerous both in the Whig and Democratic party at the North. "THE WHIG PARTY HAS SUCCOMBED TO IT, AND IT CONTROLS THE ORGANIZATION OF THAT PARTY IN EVERY NON-SLAVE-HOLDING STATE IN THE UNION. It is thoroughly denationalized and sectionalized by it will never make another national contest."*

Thus have I shown that all those assurances, all those pretences, under which Southern men had attempted to shelter their defection, and to disguise their surrender to freesoilism, were but arrant fallacies, things that had but a name, and no base, no marrow, no substance.

It is insisted, however, that we should not disturb the peace and harmony which the compromise has given the country, nor stir up the spirit of the Southern people by reminding them of the wrongs they have suffered and of the dangers which still beset them. Ay, we are asked to turn our faces from the frightful phantom and to suffer you to lie quiet and contented in your humiliation and ruin. I scorn the dastardly advice. It can, at best, suit a Russian serf or an Austrian minion. Has it come to this, that we are unblushingly required to crouch in the dust under the feet of our oppressors, lest by looking them in the face and walking erect by their side, we might move their ire and provoke their lash? I fear them not; nor should you fear them. Just give way to your fears, and there is no form of menace, no degree of insult, no measure of de-

gradation with which they will not visit you ; for “the insolence of the oppressor is in proportion to the tameness of the sufferer.”

We are next told that, bad as it is, the compromise, after all, has effected an adjustment of our difficulties, and constitutes a compact which, from its very nature, is irrevocable.

Is it so ?

Mr. Fillmore clearly did not view it in that light, when, after declaring in his message that he regards the measures embraced in it “as a settlement in principle and substance, as a final settlement, &c.” he goes on, gently admonishing and recommending adherence to them, “*until time and experience shall demonstrate the necessity of further legislation to guard against evasion or abuse.*”

Nor was it so construed by those who SIGNED THE UNION PLEDGE with Messrs. Clay, Foote, and others, when after ostracising politically all those who were opposed to it, they nevertheless admit the possibility of its being “repealed or altered by the general consent of the friends of the measures.”

Nor is it so understood by the Whigs of New York in their compact of coalition with the abolitionists of that State, when they give their assent to the proposition “*that the right of citizens, as voters, is undeniable to discuss with a full regard for the rights and interests of all parts of the Confederacy, the expediency of such laws (the adjustment laws) and the propriety of any of their provisions, and to seek by constitutional means their repeal and modification.*”

Yet Gen. Downs, referring to that subject, in his speech at Trinity, would have you to think “*that if the compromise has had its day and passed, you can no more bring it back than you can reverse the wheels of time, bring back yesterday or last year.*”—Page 13.

However, after thus fixing a character of immutability and perpetuity upon it, he chides the Southern members opposed to it, who were of the following session of Congress, *for not having attempted to remedy the evil in the ordinary way.*—Page 23.

But we ought to submit ;—for, says my colleague, “it is the natural result of one of the least doubtful of our republican principles that the majority must rule and we acquiesce.”—Page 23.

And thus whenever that majority shall have spoken out, be it edicts as reckless of the Constitution as we have known them to be, we must bow our heads in humble and respectful submission because *the majority must rule.* Ay, *rule it must ;* but says the great Pitt : “So rule as not to contradict the common principles that are common to all.” *The majority must rule,* was the dictum with which British Minis-

ters used to answer the complaints of the American colonies. What, submit to evident, undeniable wrong! We may ENDURE IT! *Endurance* implies not *consent*. But surrender our convictions, our sentiments and cower down in silence before the wrong-doer, sinking like slaves beneath the pressure of our sufferings! Upon my heart and soul, NEVER, NEVER!!!

Let me but ask you, what would your revolutionary sires have thought of any one who, in the cant of modern submissionism, had told them: "The Stamp Bill, the Boston Post Bill, the Bill for transferring political delinquents beyond the seas to be tried in a distant land," *have had their day and were passed* by a majority in the Imperial Parliament, and *can no more be recalled than you can recall yesterday or last year? The majority must rule and you must acquiesce?* Ah, Sirs, methinks I see them striving to compose their muscles and hardly able to suppress their indignation. They would have pointed, no doubt, to that noble device, on their escutcheon, which was decyphered by Jackson half a century afterwards: "WE DEMAND NOTHING BUT WHAT IS RIGHT, AND YIELD TO NOTHING THAT IS WRONG."

Fellow-citizens, be not mistaken;—your attitude in this awful crisis will determine your future fate; and, unless it be such as will *command* forbearance on the part of the North, your doom is sealed; and you are destined to be but subjects, humble, abject subjects, in this once glorious confederacy of yours; you may deceive yourselves by vain and empty words, you may think you retain your rights, your independence, your sovereignty, while you are permitted to send your Senators and Representatives to Congress, there to pander to the exactions of your northern kings; you will but retain the shadow of what you were, soon to sink beneath your own consciousness of degradation and ruin.

What will it be but the sad and bitter realisation of the remonstrance which, on a memorable occasion (the Missouri Compromise) Mr. Pinkney addressed to the growing arrogance of the North? "You may squeeze down a sovereign State to the size of a pigmy, and then, taking it between finger and thumb, stick it into some nich of the Union, and still continue, by way of mockery, to call it a STATE. You may waste it to a shadow, and still keep it in the society of flesh and blood, an object of scorn and derision; you may sweat and reduce it to a thing of skin and bone, and then show the ominous skeleton beside the ruddy and healthful members of the Union, that every one may witness the lamentable difference!!! !!!"

I am not for breaking this Confederacy; I am not for advising this State to join in any secession movement which may be made by other

States. I stand ready still to *endure* past wrongs with you ; but I cannot bring myself to acknowledge that they are not wrongs, and while I live, I shall, with all the energies of my lungs, *protest* against them. I wish not to discourage you, but to keep you on the watch ; and I sound the alarm because I see danger ahead of me. Others may find their interest or their pleasure in lulling you into a deep slumber. My mission is (while in your service,) to warn you of, and point to, the abyss that yawns before you. I would have you at least to equal in dignity that Roman slave, Spartacus, whom the sculptor represents as bound down in chains, *enduring*, not *submissive*, looking at his fetters in sadness, but without dejection, and betraying through the sternness of his eye, and the impressive pallor of his countenance, the storm that rages within him and betokens to the oppressor heroic resolves and impending disasters.

Your attitude, in other words, should be considerate, but dignified ; forbearing, yet firm and unambiguous ; such as would not authorize the North to consider you in the light of willing tools in their hands, and incite them to new attempts at oppression and plunder ; an attitude that would command their respect, and stop them in their career of aggression and insult. Such is the attitude which, in my judgment, would alone behoove you as members of a free, independent and sovereign community. But all these are solemn matters, (as I have long since declared in the Senate Chamber of the Union), for your consideration and judgment alone ; it is mine, however to defend the share I had in the past action of the Senate upon these momentous topics, and to vindicate the motives which prompted me in all I then did.

I might stop here, but for some of you who wish to learn, I have no doubt, what my views be with respect to the present state of affairs in South Carolina and to the bearing which it may have upon the future action of the Southern States :

South Carolina !

Ah ! whatever be her delusions, whatever her fortunes, I cannot but respect, and love, and admire her noble daring and her heroism. It may be that she is too rash, too precipitate. But is she not the best and sole judge of her grievances? I look upon her as upon a wronged partner who demands to have his rights acknowledged and secured in the partnership, or to withdraw from it. I could not advise you to follow in her footsteps ; I would rather urge her to pause and consider. Yet whatever be your judgment on the expediency of her course, there cannot be two opinions among sensible men as to her substantive and absolute right of seceding from the Union, if she chooses.

She does it, no doubt, at her own peril. But by so doing, she, after all, but exerts her undoubted privilege as one of the sovereign confederates.

The right to secede, is not a right that has no lodgement any where. It exists. It constitutes the very essence of sovereignty. It is sovereignty itself. It *must be* somewhere. It *is* somewhere. Its assertion rent assunder the connexion which bound the British American colonies to their mother country. It is fully and most emphatically implied in the reservation made in the second of the articles of Confederation. It was neither impaired nor abridged, nor surrendered by the new Constitution; it is a main attribute of sovereignty, inherent to it, inseparable from it.

To the constitutional compact, each State acceded in her independent and sovereign capacity, each gave her separate and individual ratification, and when any one of them choses to withdraw from it, she but does what in all federative compacts, a confederate has an indisputable right to do, resume her independent and separate action as a sovereign.

The withdrawing of one State, does not of necessity break the Union as to the other States. As long as there remain *nine* States adhering to it, it stands, it lives; and a seceding State is, in regard to those that remain united, but what North Carolina and Rhode Island were while they withheld their ratification, that is to say she is independent of it. Such is the doctrine I was taught at the school of the fathers and exponents of this system of Government; and I am prepared to show that to deny the orthodoxy of that doctrine is to belie history and the great monuments of past tradition and of living wisdom.

Mr. Madison, as chairman of a committee of the Virginia Legislature in 1800, reporting on the resolution of '98, says: "It appears to your committee to be a plain principle, founded in common sense, illustrated by common practice, and essential to the nature of compacts, that where resort can be had to no tribunal superior to the authority of the parties, the parties themselves must be the rightful judge, in the last resort, whether the bargain made has been preserved or violated. The Constitution of the United States was formed by the sanction of the States, given by each in its sovereign capacity. It adds to the stability and dignity, as well as to the authority of that Constitution, that it rests on this legitimate and solid foundation. The States then being the parties to the Constitutional compact, and in their sovereign capacity, it follows of necessity, that there can be no tribunal above their authority, to decide in the last resort whether the compact made by them be violated,

and consequently, as the parties to it, they must themselves decide, in the last resort, such questions as may be of sufficient magnitude to require their interposition.”

In the Declaration of Independence, Mr. Jefferson had already proclaimed the great political axiom “that whenever any form of Government becomes destructive of the ends for which it was organized, it is the right, nay, the duty of the people to throw off such Government;” and in the resolutions of the Kentucky Legislature in 1793, drafted by him, he further maintained “That the several States composing the United States of America are not united on the principle of unlimited submission to the General Government.” That “the Government created by this compact was not made the exclusive or final judge of the extent of the power delegated to itself; since that would have made its discretion, and not the Constitution the measure of its powers; but that, as in all other cases of compact among parties having no common judge, each party has an equal right to judge for itself, as well of infractions, as of the mode and measure of redress.

Mr. Hamilton, in one of his papers in the *Federalist*, admits that if the Federal Government should oppress the States, the State Governments should be ready to check it by virtue of their inherent power. “The State Governments,” says he, “will, in all possible contingencies, afford COMPLETE SECURITY against invasion of the public liberties by the national authority.” John Randolph professes the same identical views in that resolution which he introduced before the people of Charlotte county, wherein he declares that Virginia “is, and of right ought to be, a free, sovereign, and independent State; . . . that she has never parted with the right to recall the authority delegated by her for good and sufficient cause, nor with the right to judge of the sufficiency of such cause, and to SECEDE from the Confederacy whenever she shall find the benefit exceeded by its evils; *Union being the means of securing happiness, and not an end to which it should be sacrificed.*” Daniel Webster in his speech at Capon Springs, Va., surrenders his former antipathies and scruples, and avows that “To preserve the Union, we must observe in good faith the Constitution and all its parts. If the Constitution,” says he, “be not observed, and if its provisions be set aside, the whole of it ceases to be binding. It would be absurd to suppose that either the North or the South has the power or the right to violate any part of that Constitution, and then claim from the other the observance of its provisions. If the South were to violate any part of the Constitution, would the North

be any longer bound by it, and if the North were deliberately to violate any part of it, would the South be bound any longer to observe its obligations? How absurd it would be to suppose, where different parties enter into a compact for certain purposes, that either can disregard any one provision and expect the other to observe it." and he adds: "I do not hesitate to say and repeat that if the Northern States refuse wilfully and deliberately to carry into effect any part of the Constitution, the South would no longer be bound by the compact. A BARGAIN BROKEN ON ONE SIDE IS BROKEN ON ALL SIDES.

General Jackson himself, in his counter-proclamation, which Mr. Blair of the *Globe* vouchsafes as *exhibiting the mature and fixed principles of its author, and not only of the author, but of the great democratic party which then recognised them as the foundation of its creed*, acknowledges that, "in extreme cases of oppression, (every mode of Constitutional redress having been sought in vain,) the right resides with the people of the several States to organize resistance against such oppression, confiding in a good cause, the favor of heaven, and the spirit of freemen to vindicate the right."

But we have, independently of the weight which such names carry along with them, the solemn and unmistakeable vote taken on the 19th of June 1787, on Mr. Patterson's resolution, by which the Government was emphatically denied "the authority to call forth the power of the confederated States to enforce and compel obedience to the acts of Congress or the observance of the treaties made with foreign nations."*

Where then lies the sovereignty? Why, where the power rests to make and unmake the Government. It resides in the States alone; for they it was that made the Government; and they it is who can alone unmake it. If then you should ask: "What, if the Federal Government were to attempt coercing a seceding State?" I will say: Believe you that the South could calmly look upon the scene and bear unmoved that her own dearest rights and principles, blended in the contest, were invaded and annihilated? I cannot doubt but that she would vindicate them. But this might, in the eyes of some, be rebellion. I have an answer, and I borrow it from that profound statesman, Burke, whose warnings were so slightly dealt with by the British ministers of that day, but whose wisdom has survived their folly, and shamed their blindness to all eternity: "The Government against which a claim of liberty is tantamount to high treason, is a Government to which submission is

* Appendix No. 4.

equivalent to slavery.—*Speech on the Reconciliation of the American Colonies.*

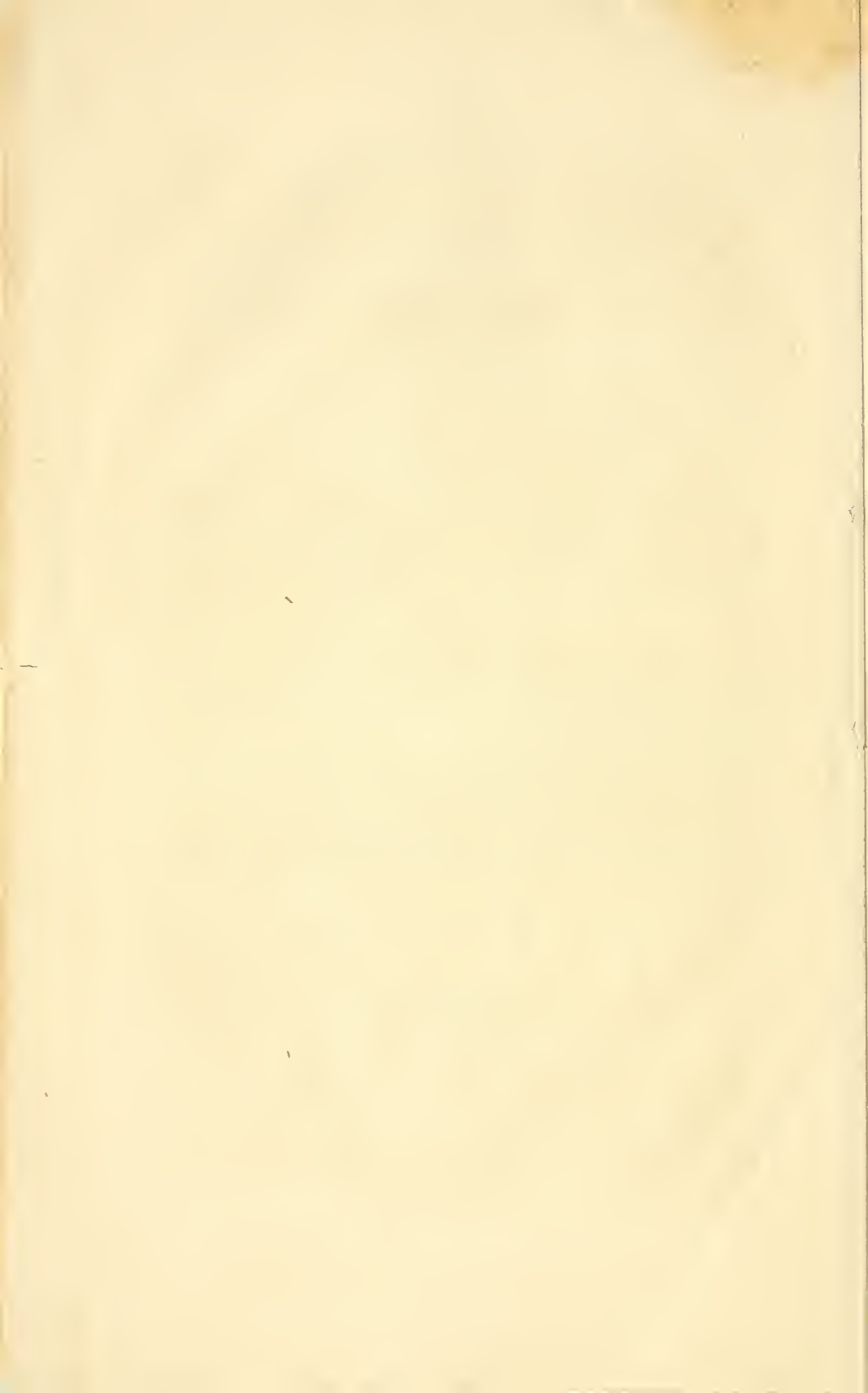
What, suffer that a co-State, exerting the only reserved right that can save her sovereignty, be invaded, sacked, trampled under foot by a federal soldiery, stormed by federal guns and ground down by federal minions? But will that bring her back into the Union? Can you realize a Union of States that have to be retained in it by compulsion? Suppose there be three, four, six, seven States that withdraw from it, will you be able to carry on the Government?

Suppose New York, Pennsylvania, Ohio, Massachusetts and some two or three others should refuse to send representatives to Washington, what becomes of Congress?

It is madness to speak or think of coercing a State back into the Union. Does not each of us possess, do we not exert whenever we please, the right of changing our allegiance by passing from one State to the other, or to a foreign State? Who denies it? Who doubts it? And pray wherein does a State differ in that respect from each individual member in it?

Ay! it were sheer madness on the part of the federal Executive to resort to force and violence, to bring a seceding State back into the Confederacy. It was not thus that Gen. Washington acted towards Kentucky when the latter boldly threatened to secede unless the navigation of the Mississippi were obtained and secured. Our federal rulers should understand that, 'by an eternal law, Providence has decreed vexation to violence.' For, if you will allow me to close with another quotation from Burke, "The use of force is but temporary; it may subdue for a moment, but it does not remove the necessity of subduing again; and a nation (a State) is not governed which has perpetually to be conquered."





APPENDIX.

N^o 1.

“The Oregon Treaty and the Mexican war have placed in our possession tracts of country of great extent, and represented as being of boundless fertility. That Territory now belongs to us all—to the South as well as to the North; to the man that owns a slave as well as to the man that owns a horse, a mule or an ox. Yet, when a question arose as to providing a temporary government for these Territories, until the increase of inhabitants might entitle them to become States; Mr. Wilmot, of the House of Representatives, proposed a *proviso* to the effect that slavery should not be allowed to exist in those Territories; or, in other words, that these Territories should be kept by Congress exclusively for the use of what are called the Free States; so that if an inhabitant of New York, Pennsylvania or Ohio should emigrate to this new country, his property, consisting of his household goods, his horses, mules and cattle should be protected by the laws; but if an inhabitant of Louisiana, Alabama or Mississippi should desire to emigrate, his property, consisting of his slaves, should not only be without protection from the laws, but should be positively confiscated, that his slaves should thereby become emancipated and forever lost to him. Remember that this Territory belongs to all—that the people of the South have paid their full share of treasure, and shed more than their full share of blood to acquire it, and that our own State was particularly conspicuous for the zeal and gallantry of her sons, and for the public spirit with which her treasury had been opened to supply the urgent wants of our army; that all this was urged by able and eloquent orators, who lifted up their voices in Congress in our behalf, and that, notwithstanding all that, many were found ready to do us *the foul wrong, the monstrous injustice and indignity of voting for this proviso*. GOD FORBID THAT THE PESTILENTIAL INFLUENCE OF PARTY SHALL EVER CAUSE THIS QUESTION TO BE CONSIDERED IN ANY BUT ITS TRUE LIGHT BY ANY CITIZEN OF THE SOUTH.”

From the ADDRESS of the New Orleans Central Rough and Ready Club to the people of Louisiana, signed by J. P. BENJAMIN, SAM'L. J. PETERS, S. S. PREFTISS, BAILIE PEYTON and others, August 10th 1848.

N^o 2.

Mass Meeting on Sunday next, the 15th October instant, La.

“Every person in favor of the support of the American Union, of our domestic institutions and all the friends of *the extension of slavery* in New Mexico and California, the two Territories recently conquered and purchased with the American blood and with the treasure of our country, are invited to attend without distinction of party, &c., &c.”

Parish of St. James, October 10th, 1848.

J. J. ROMAN, President.

J. B. TUSSON, }

EVARISTE MIRE, }

Vice-Presidents.

C. A. PIERON, Secretary.

N^o 3.

In the House, Dec. 13th, 1848.

Mr. Palfrey asks leave to introduce a Bill “to repeal all acts or parts of acts of Congress establishing or maintaining slavery, or the slave trade, in the District of Columbia.”

Yeas—69. Nays—82.

New York members, 23 yeas. 1 nay. 10 not voting.

On the same day, Mr. Root presents the following resolution :

“Resolved: That the Committee on Territories be instructed to report to this House with as little delay as practicable, a bill or bills providing for the organization of the Territories of New Mexico and California, *and excluding slavery therefrom,*” on motion to lay it on the table :

Yeas—80. Nays—107.

New York members: yeas—0. Nays—30. 4 not voting.

In the House, February 4th, 1850.

Mr. Giddings proposes these resolutions :

“Resolved: That we hold these truths to be self-evident: That all men are created equals: that they are endowed by their Creator with the inalienable rights of life and liberty, and that Governments are instituted to maintain those rights.

“Resolved: That in constituting Governments in any Territory of the United States, it is the duty of Congress to secure to all the people thereof, of whatever complexion, the enjoyment of the rights aforesaid.”

On motion to lay on the table :

Yeas—104. No—19.

New York members, 1 yea; 26 nays, 7 not voting.

In the House, Sept. 24th, 1850.

Mr. Preston King asks leave to introduce a bill with the following section :
 "Be it enacted that slavery is hereby abolished and forever prohibited in the
 District of Columbia."

On motion to suspend the rules :

Yeas—52. Nays—189.

New York members: yeas—18. Nays—3. 13 not voting.

N^o 4.

On the 15th of June, 1787, Mr. Patterson, of New Jersey offered (among others) a resolution which, after providing that the laws passed, treaties made &c., should be the supreme law of the land, and that the State judiciaries should be bound thereby &c., went on to provide in addition "*that if any State, or any body of men in any State, shall oppose or prevent the carrying into execution such acts or treaties, THE FEDERAL EXECUTIVE SHALL BE AUTHORIZED TO CALL FORTH THE POWER OF THE CONFEDERATED STATES, OR SO MUCH THEREOF AS MAY BE NECESSARY TO ENFORCE AND COMPEL OBEDIENCE TO SUCH ACTS OR AN OBSERVANCE OF SUCH TREATIES.*"

On the 19th of June, the vote was taken and the resolution was rejected by 7 States against, and 3 States for.

N^o 5.

At page 42 of the pamphlet containing Gen. Downs' speech at Trinity, are found reported in a *Memorandum of Dates and Votes in the Senate*, two dates and two votes exhibiting Mr. Soulé's name in italics alongside of the names of Messrs. Seward, Hale, Truman Smith and others.

But for the Italics in these two items alone, Mr. Soulé might have overlooked the object which the publisher had in view in thus pointing to the strange coincidence. What strikes more in this underhanded attempt at misrepresentation, is the disingenuousness with which the bearing of these two votes is kept in the dark and sedulously concealed from the reader. That disingenuousness must be unmasked.

The first vote is that of the 14th of June; on Mr. Turney's proposition "to strike out from the Omnibus bill the 39th section," the section dismembering Texas of 121 thousand square miles of her territory, *thereby taking one-half of what we gained by the Texas Compromise.* * Mr. Soulé voted YEA, and had the proposition been carried, Texas would still retain her entire territory and

* Mr. Downs, in his speech of February 18th, 1850.

jurisdiction, and the South be spared the necessity of paying her full share of ten millions of dollars for transferring to freesoilism a sufficient extent of Territory to make two free States. Mr. Downs, says his publisher, voted *AY*, so says the *Globe*.

The second vote is that of the 31st of July, on Mr. Pierce's amendment, striking out the same section. Mr. Soulé voted again *YEA*, and the amendment being carried, Mr. Pierce was enabled to introduce and Congress to pass the bill which reduced by upwards of 33 thousand square miles the amputation effected on Texas. Mr. Downs voted *NO*. Had Mr. Pierce's amendment been lost, the 33 thousand square miles, saved to the South by his subsequent bill, would have remained with New Mexico, and therefore, with the freesoil interest of the North.

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